

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q84102

Shunji HAYASHI, et al.

Appln. No.: 10/510,497

Group Art Unit: 1794

Confirmation No.: 1554

Examiner: Hamid R. BADR

Filed: October 7, 2004

For: CHEESE CAPABLE OF DISINFECTING HELICOBACTER PYLORI

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

Applicants submit herewith a copy of a corresponding Canadian Office Action dated June 9, 2009.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing

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concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

<p>SUGHRUE MION, PLLC Telephone: (202) 293-7060 Facsimile: (202) 293-7860 WASHINGTON DC SUGHRUE/265550 65565 CUSTOMER NUMBER Date: September 4, 2009</p>	<p>Respectfully submitted, /Sunhee Lee/ <hr/> Sunhee Lee Registration No. 53,892 Respectfully submitted, /Yan Lan/ <hr/> Yan Lan Registration No. 50,214</p>
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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

<p>SUGHRUE MION, PLLC Telephone: (202) 293-7060 Facsimile: (202) 293-7860 WASHINGTON DC SUGHRUE/265550 65565 CUSTOMER NUMBER Date: September 4, 2009</p>	<p>Respectfully submitted, /Sunhee Lee/ <hr/>Sunhee Lee Registration No. 53,892 Respectfully submitted, /Yan Lan/ <hr/>Yan Lan Registration No. 50,214</p>
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